

REMARKS

Claims 1, 3, 4, 8, 11-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Kamen et al. '425. The examiner recited Sensor A and Sensor B as corresponding to the sensor module of the claimed invention. Sensor A, as taught by Kamen '425, looks in a forward direction as shown in Fig. 46 and described at column 20, lines 57-59. The center is mounted high enough on the transporter so that it can sense a second step as shown in Fig. 46 and described in column 20. Kamen '425 does not disclose, suggest or teach a Sensor A for determining orientation of a support platform on the transporter relative to a surface beneath and in contact with the ground contacting elements of the transporter.

Sensor B, on the other hand, looks in a downward direction for sensing distance to the ground below. Kamen '425 does not teach, suggest or disclose using Sensor B to provide attitude orientation information for determining an amount of torque to apply to a motor. Instead, the sensor is simply used, as shown in Figs 46 and 47, to detect stairs. As stated at column 21, lines 4-6, "when the vehicle is descending, Sensor B senses the end of the step that the device is currently on, by detecting the change in height." The signal provided by Sensor B is used to switch the vehicle between balance mode and lean mode. "When Sensor B senses a step..., the vehicle enters lean mode." (Column 21, lines 18-20) As such, Sensor B acts as a switch between the two modes. Referring to column 12, lines 13-18, Kamen '425 explicitly refers to this operation as switching. "Such other inputs may include signals gated by switches (knobs and buttons) for chair adjustment and for determining the mode of operation (such as lean mode or balance mode described below)."

Sensor B is not used to provide attitude or to provide a signal used in the application of a torque as a function of attitude. Rather, the readings from Sensor B are compared to thresholds in order to trigger a switch between balance mode and lean mode. Referring to Kamen '425 at column 22, lines 36-40, "Once the vehicle reaches the landing at the bottom of the stairs, both sensors B and C sense no more steps (sensor readings below certain thresholds). When this occurs, the vehicle transfers to the balance mode." Sensors A and B are not used in producing signals for determining the angles

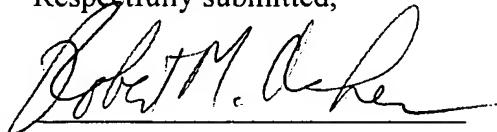
used in the control of motorized drive in Kamen '425. To the contrary, in accordance with Kamen '425, an inclinometer is used to sense angles relative to gravity.

Given the limited use to which Kamen '425 suggests for Sensor A and Sensor B, it is seen that there is no teaching, suggestion or disclosure of "commanding the motorized drive arrangement to apply a torque to one or more of the ground contacting elements as a function of the attitude of the support platform based upon the signal generated by the sensor module." Furthermore, neither Woods or Sugasawa satisfy this deficiency of Kamen '425. For these reasons, all claims presently in the application should be allowed.

Referring to the Advisory Action of August 26, 2005, Applicants strongly refute the contention that the lean mode sensors A and B sense the pitch and that application of torque is thereby responsive to the sensors. Applicants clearly stated in the Response of July 19, 2005 that, "This pitch is sensed by an inclinometer and not sensors A and B." There should be no confusion. As explained above, Kamen '425 discloses using Sensor B to switch between modes and Sensor A does not provide a signal characteristic of attitude. While a signal from a sensor may trigger a height change, the amount of torque applied in Kamen '425 is not a function of attitude based on the signal.

Applicants respectfully request the examiner reconsider the application as amended in view of the arguments presented above. All claims presently in the application are believed to be allowable over the art of record and early notice to that effect is respectfully solicited.

Respectfully submitted,



Robert M. Asher
Reg. No. 30,445
Bromberg & Sunstein LLP
125 Summer Street, 11th Floor
Boston, MA 02110-1618
(617) 443-9292
Attorney for Applicants